

Charges Filed with the Police Board

The following charges have been filed with the Police Board by the Superintendent of Police. The public is reminded that the filing of charges is not evidence of guilt. The accused officer is presumed innocent and is entitled to a fair hearing at which the Superintendent has the burden of proving guilt by a preponderance of the evidence.

CHARGES AGAINST POLICE OFFICER LOUIS GARCIA

Police Officer Louis Garcia, Star Number 16093, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

SPECIFICATIONS

1. On or about May 31, 2019, Police Officer Louis Garcia, at approximately 9:00 p.m., while at or near the location of 9700 S. Commercial Avenue in Chicago, Illinois, during the arrest of Alfonso Cazares, failed to record the entire incident on his body worn camera; and/or failed to secure the arrestee with a seatbelt; and/or failed to transport the arrestee to the station in a properly equipped Department vehicle. Officer Garcia thereby violated:
 - a. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or
 - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating Uniform and Property Order U02-01-08 (Vehicles Equipped with Protective Dividers); Special Order S03-14 (Body Worn Cameras).
2. On or about May 31, 2019, Police Officer Louis Garcia, at approximately 9:00 p.m., while at or near the location of 9700 S. Commercial Avenue in Chicago, Illinois, acted unprofessionally during a stop when he acted aggressively toward Alfonso Cazares by screaming at him and/or using profanity, and/or he did not attempt to de-escalate the situation, and/or he used excessive force against Cazares as punishment. Officer Garcia thereby violated:

- a. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G01-01 (Vision, Mission Statement, and Core Values).
3. On or about May 31, 2019, Police Officer Louis Garcia, at approximately 9:00 p.m., while at or near the location of 9700 S. Commercial Avenue in Chicago, Illinois, applied direct pressure and/or choked and/or blocked the airway of Alfonso Cazares without any legal justification and/or used force as punishment or retaliation during an arrest. Officer Garcia thereby violated:
 - a. Rule 1, which prohibits violation of any law or ordinance, by violating section 12-3 of the Illinois Criminal Code, 720 ILCS 5/12-3 (West 2016), which prohibits battery;
 - b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department;
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G03-02 (Use of Force); G03-02-01 (Force Options);
 - d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
 - e. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and/or
 - f. Rule 22, which prohibits failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.
4. On or about May 31, 2019, Police Officer Louis Garcia, at approximately 9:00 p.m., while at or near the location of 2255 E. 103rd Street in Chicago, Illinois, Officer Garcia failed to document his physical interactions with Alfonso Cazares truthfully and/or accurately in his Tactical Response Report to wit: failed to document that he choked and/or obstructed Alfonso Cazares' airway. Officer Garcia thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department;
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G03-02-02 (Incidents Requiring the Completing of a Tactical Response Report); and/or

- d. Rule 22, which prohibits failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Louis Garcia, Star Number 16093, be discharged from the Chicago Police Department.

FILED: July 23, 2021
POLICE BOARD
Case No. 21 PB 2994-1

CHARGES AGAINST POLICE OFFICER MANUEL GIRON

Police Officer Manuel Giron, Star Number 11959, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

SPECIFICATIONS

1. On or about May 31, 2019, Police Officer Manuel Giron, at approximately 9:00 p.m., while at or near the location of 9700 S. Commercial Avenue in Chicago, Illinois, during an investigatory stop, Officer Giron searched Alfonso Cazares without justification and retrieved his identification. Officer Giron thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department; and/or
 - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating Special Order S04-13-09 (Investigatory Stop System).
2. On or about May 31, 2019, Police Officer Manuel Giron, at approximately 9:00 p.m., while at or near the location of 9700 S. Commercial Avenue in Chicago, Illinois, during the arrest of Alfonso Cazares, Officer Giron failed to record the entire incident on his body worn camera; and/or failed to secure the arrestee with a seatbelt; and/or failed to transport the arrestee to the station in a properly equipped Department vehicle. Officer Giron thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department;

- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating Uniform and Property Order U02-01-08 (Vehicles Equipped with Protective Dividers); Special Order S03-14 (Body Worn Cameras).
3. On or about May 31, 2019, Police Officer Manuel Giron, at approximately 9:00 p.m., while at or near the location of 2255 E. 103rd Street in Chicago, Illinois failed to report that Officer Louis Garcia used excessive force when he applied direct pressure and/or choked and/or blocked the airway of Alfonso Cazares without any legal justification and/or used force as punishment or retaliation during an arrest. Officer Giron thereby violated:
 - a. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals,
 - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G08-01-02 (Specific Responsibilities Regarding Allegations of Misconduct); and/or
 - c. Rule 22, which prohibits failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Manuel Giron, Star Number 11959, be discharged from the Chicago Police Department.

FILED: July 23, 2021 POLICE BOARD Case No. 21 PB 2994-2

CHARGES AGAINST SERGEANT KEVIN RAKE

Sergeant Kevin Rake, Star Number 2015, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

SPECIFICATIONS

- I. On or about May 31, 2019, Sergeant Kevin Rake, failed to report that Officer Louis Garcia used excessive force during the arrest of Alfonso Cazares and/or failed to adequately review and/or failed to resolve Officer Louis Garcia's incomplete Tactical Response Report. Sergeant Rake thereby violated:
 - a. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
 - b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department;
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G03-02-02 (Incidents Requiring the Completion of a Tactical Response Report) and General Order G03-02 (V) (Use of Force), General Order G08-01-02 (Specific Responsibilities Regarding Allegations of Misconduct); and/or
 - d. Rule 22, which prohibits failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Based on the foregoing charges and specifications, the Superintendent recommends that Sergeant Kevin Rake, Star Number 2015, be discharged from the Chicago Police Department.

FILED: July 23, 2021 POLICE BOARD Case No. 21 PB 2994-3

CHARGES AGAINST LIEUTENANT CHARLES DALY


Lieutenant Charles Daly, Star Number 494, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

SPECIFICATIONS

1. On or about May 31, 2019, Lieutenant Charles Daly, failed to report that Officer Louis Garcia used excessive force during the arrest of Alfonso Cazares and/or failed to adequately review and/or failed to resolve Officer Louis Garcia's incomplete Tactical Response Report. Lieutenant Daly thereby violated:
 - a. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
 - b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy or goals or brings discredit upon the Department;
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: by violating General Order G03-02-02 (Incidents Requiring the Completion of a Tactical Response Report) and General Order G03-02 (V) (Use of Force), General Order G08-01-02 (Specific Responsibilities Regarding Allegations of Misconduct); and/or
 - d. Rule 22, which prohibits failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Based on the foregoing charges and specifications, the Superintendent recommends that Lieutenant Charles Daly, Star Number 494, be discharged from the Chicago Police Department.



DAVID O. BROWN
Superintendent of Police

FILED: July 23, 2021 POLICE BOARD Case No. 21 PB 2994-4

APPROVED AS TO FORM

/S/ Johanna Tran

JOHANNA TRAN

Assistant Corporation Counsel

Labor Division